

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

CURTIS GIOVANNI FLOWERS

PLAINTIFF

v.

CIVIL ACTION NO. 4:21-CV-110-MPM-JMV

**DOUG EVANS, in his individual capacity,
JOHN JOHNSON, in his individual capacity,
WAYNE MILLER, in his individual capacity,
and JACK MATTHEWS, in his individual capacity**

DEFENDANTS

AFFIDAVIT

**STATE OF MISSISSIPPI
COUNTY OF BOLIVAR**

Personally appeared before me, the undersigned notary public in and for the aforesaid state and county, the within named John Johnson who after being by me first duly sworn states on oath as follows:

1. My name is John Johnson. I was the Investigator for the Fifth Circuit District Attorney's Office at the time the murders at Tardy's Furniture occurred on July 16, 1996.

2. Curtis Flowers was arrested January 13, 1997, for these quadruple killings. The decision to arrest Flowers was made after gathering multiple pieces of evidence all pointing toward Flowers' guilt and establishing probable cause as to that guilt. Ultimately, Mississippi Highway Patrol officer Wayne Miller was named as the Case Officer over the murder investigation. Jack Matthews was subsequently named Case Officer as Wayne Miller retired. My understanding was the Case Officer was the lead investigator and in charge of the investigation. The MHP had control and custody over every piece of evidence in this case.

3. The murders occurred at approximately 10:00 a.m. on the morning of July 16, 1996.

All four victims, one owner and three employees of Tardy Furniture, were shot at close range.

4. The evidence gathered establishing probable cause that Flowers committed these murders was as follows:

- Just prior to the murders, Flowers was hired by Bertha Tardy, the owner of Tardy Furniture and was subsequently fired by Mrs. Tardy. Flowers was fired because he missed multiple days of work without calling in. During his short career at Tardy, Flowers dropped very expensive batteries and Mrs. Tardy informed him she would have to deduct the cost of the batteries from his check;
- Curtis was seen by a witness leaning on Mr. Doyle's (Curtis's relative) car the morning of the murders between 7:00-7:30 a.m.; it was ultimately discovered that Doyle's gun was the gun used in the murders and Doyle's gun was in his car on the morning of the murders and was discovered (after the murders) to be missing;
- three witnesses, Edward Lee McChristian, Benard Seals, and Clarence Benard Forrest, were sitting together on a porch and all saw Curtis walking on Academy Street toward Tardy's Furniture
- a witness saw Curtis on Harper Street between 9:00-9:30 a.m., en route to Tardy's Furniture;
- two witnesses, Beneva Henry and Vera Latham, both saw Curtis at 504 Campbell after 9:10 a.m., en route to Tardy Furniture;
- a witness saw Curtis running away from the direction of Tardy's about 10:00 a.m. just after the murders occurred - running like "somebody was after him";
- this same witness then saw him cross Hwy 51 toward Jeff's Store and Curtis admits in an interview that he was at Jeff's Store the day of the murders;
- Several people (at least 17) have seen Curtis wear white Fila shoes several times prior to the day of the murders, Fila shoe prints were discovered at the murder scene and were identified as the

shoe the murderer would have been wearing - the shoe prints were Curtis's shoe size;

- Witness (Mary Sue Moore) says that Connie Moore (Curtis's girlfriend) told her minor son (Lamarcus Moore) to lie to police that Curtis was home all morning, but Curtis was not home. He told them he was going to Piggly Wiggly for groceries but did not come back with any groceries;
- Witness (Betty Ware) says that Connie (Curtis's girlfriend) told her that Mrs. Tardy had been ugly to Curtis;
- Crime Lab results were positive for gunshot residue on the back of Curtis's right hand - Curtis is right-handed;
- Crime Lab results were a positive match for a projectile fired from Doyle's (Curtis's relative) gun to the projectile found in the mattress next to Mrs. Tardy and several other projectiles located at the scene;
- Doyle (Curtis's relative) asked a witness to lie to the jury about his gun;
- Money with blood spatter was found inside Curtis's residence;
- Clothes were found in Curtis's washing machine with blood on them;
- When Curtis was a juvenile, he shot another young man in the chest at close range and told the young man "I'm gonna shoot you" right before he pulled the trigger. Curtis used a weapon similar to the one used in the Tardy's murders. Curtis told the young man to lie about the shooting. I worked this case and knew that Curtis lied about this shooting and I also believed as an investigator that this shooting was no accident;
- It takes 6-10 minutes with a brisk walk/jog/run to get from Tardy's furniture store to Curtis's house because of the shortcuts taken through yards and pass-throughs across dry ditches, a hole in a fence behind a witness's house, a cemetery, empty lots, and areas of overgrown brush;

- Tardy's Furniture was burglarized in the days before the murder and the burglar left the building by way of the side exit. Only Tardy employees knew where the key to the padlock on the exit door was located at - in its hiding spot. After the burglar retrieved the key, he unlocked the padlock, replaced the key to its original hiding place, and exited the building;
- Curtis failed his polygraph test on 7/18 when he was asked questions about the burglary and the murders;
- There was money (\$387.00) missing from the cash register. Money (\$235.00) was found at Curtis's house by his bed with blood on all of it;
- A Montgomery County Sheriff's Deputy (Jerry Butler) recovered a Fila tennis shoe box from Flowers's girlfriend's house - Flowers' girlfriend stated the shoe box was her son's shoe box, but the size of the shoe was Curtis's shoe size;

5. The following time line was established by our investigations:

July 16, 2016

6:30-7:30 a.m.	Curtis was seen sitting on his porch by witness (Elaine Gholston)
7:15 a.m.	Curtis was seen by witness (Patricia Hollman) wearing Fila tennis shoes that morning before the murders occurred. She stated he has another pair that were Fila but not Grant Hill, and she saw him wear those once after the murders. She also heard Connie (Curtis's girlfriend) say that "I know they are not going to find the gun. I just know they won't."

Going to Get the Gun the Morning of the Murders - July 16, 1996:

7:15-7:20 a.m.	Witness (James Kennedy) saw Curtis that morning walking from Hwy 51 on Angelica Drive toward Angelica Dr., this is where Mr. Doyle worked. Doyle
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was at work that morning, his car parked outside. Inside his car was a gun which went missing that morning and was ultimately established as the Tardy multiple murders weapon;

7:00-7:30 a.m. Flowers was seen leaning on Doyle's car (witness Katherine Snow);

7:40-7:45 a.m. Flowers was seen by three witnesses (Edward McChristian, Benard Seals, Clarence Benard Forrest) walking from the direction of 407 going north; this would be headed away from Angelica and toward Flowers' home;

Going to Tardy's:

9:00 a.m. Victim Bobo Stewart, a Tardy employee, was dropped off at Tardy's at 9:00 a.m.;

9:00 a.m. Victim Carmen Rigby, another Tardy employee, was at post office at +/- 9:00 a.m.;

9:10-20 a.m. Sometime after 9:10 a.m. Curtis was seen by two witnesses (Vera Latham and Beneva Henry) on Campbell Street which is near the Tardy store. She spoke to him and told him if he was on his way to work at the furniture store, he was going to be late; Sometime between 9:15-9:20 a witness (Porky Collins) saw Curtis walking toward Tardy's;

9:10-20 a.m. Sometime after 8:50 a.m. Flowers talked to witness (Mary Fleming) as he was walking toward town and Tardy Furniture. They walked by each other on Campbell Street;

9:25 a.m. Carmen made Tardy's bank deposit +/- 9:25 a.m. (2nd car in line behind Chancery Clerk). At this time, Mrs. Tardy, Bobo, and Robert were all in the

store, and Carmen entered last;

9:30 a.m. Mrs. Tardy called witness Sam Jones at +/- 9:30 a.m. to ask if he could come to the store. Jones left his house at 9:30 and stopped to talk to some friends. Jones says he entered the store +/- 10:05 and heard someone struggling for breath (Bobo) and approached the bullpen area. He saw Bobo first, then Robert, then Carmen, and then Mrs. Tardy;

10:00 a.m. Witness Porky Collins saw Curtis standing outside the front of Tardy's Furniture.

After the Murders:

10:00 a.m. Sometime just after 10:00 a.m. witness Clemmie Flemming saw Curtis Flowers running "like someone was after him" running from the rear of Tardy's Furniture store and minutes later was seen crossing Highway 51 toward Jeff's Store down by Carrollton Avenue by Church Street and running toward Campbell Street.

10:10 a.m. Witness (John Seals) saw Curtis walking west on Powell Street at Hwy 51 - this puts Curtis blocks from Tardys' headed to his home.

10:21 a.m. 911 call received at 10:21 a.m.

12:00 noon Witness saw Curtis wearing shorts, no shirt, and a towel around his neck

Flowers History at Tardy's

- Worked on (Sat.) 6/29/96 (first day of work)
- Worked on (Mon.) 7/1, (Tues.) 7/2, and (Wed.) 7/3 until noon and was off for (Thurs.) 7/4 holiday

- Was supposed to work (Fri.) 7/5, (Sat.) 7/6, & (Mon.) 7/8 but didn't show up for work
 - On 7/3 Curtis dropped the batteries out of the back of the truck & laughed about it & after he told Mrs. Tardy, she loaned him \$30 for the holiday weekend
 - Burglary happened the weekend of 7/6 - 7/7
 - On (Tues.) 7/9 Mrs. Tardy told Curtis they did not have a job for him
 - Murders on (Tues.) 7/16
6. Regarding my interviews with witnesses, I never once influenced any witness to embellish or change their story. Multiple witnesses supported the theory that Flowers went to retrieve Doyle's gun in the early morning hours, went home and then returned to downtown Winona and the Tardy store to commit the murders just before 10:00 a.m. As for Mr. McChristian, a route witness, two other witnesses fully supported his testimony of seeing Flowers on the morning of the murders - Clarence Forrest and Benard Seals. Both witnesses saw Curtis before 8:00 a.m. coming from the direction of Doyle's car, where Flowers would have picked up the gun used in the murders.
7. As for Odell Hallmon, I did not and could not have promised Hallmon anything in exchange for any testimony. I interviewed Hallmon, and took his information, but these interviews all happened well after Flowers had already been tried and convicted for the murders. Again, however, I never encouraged anyone to lie and did not offer Hallmon anything for his testimony as I would not do so and had no authority to do so.
8. All evidence in this case was handled by and in the possession, care, custody and control of Jack Matthews and Wayne Miller of the Mississippi Highway Patrol.
9. Finally, Clemmie Fleming - who testified she saw Flowers running from Tardys' just after

the murders - testified 6 times as to her absolute recollection that Flowers was seen running as if "someone were after him" just after the murders and immediately in the vicinity of Tardy's.

10. My theory of the case was that Flowers was mad and desperate following his being fired from Tardy's and something snapped in him that morning of July 16, 1996. He had the means, motive and opportunity to commit these murders and it is still my firm belief that he is guilty, just as multiple other jurors have so found.

Further affiant sayeth not.


JOHN JOHNSON

Sworn to and subscribed before me on this the 28th day of July, 2022.

My Commission Expires:

7/22/25

